

UNITED STATES OF AMERICA
UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MICHAEL TODD DUNNUCK,

Petitioner,

Case No. 1:09-cv-1163

v.

Honorable Paul L. Maloney

CAROL HOWES,

Respondent.

_____ /

ORDER

In accordance with the Opinion entered this day:

IT IS ORDERED that Petitioner's "Motion to Hold Habeas Petition in Abeyance" (docket #2) is **GRANTED**.

IT IS FURTHER ORDERED that Petitioner shall file a post-conviction motion for relief from judgment under Michigan Court Rule 6.500 *et seq.*, in the Cass County Circuit Court within thirty (30) days of this Order, raising his unexhausted grounds for habeas corpus relief.

IT IS FURTHER ORDERED that Petitioner's action is stayed until Petitioner files a motion to amend his petition to include any subsequently exhausted claims. Such motion must be filed not later than 30 days after a final decision by the Michigan Supreme Court on Petitioner's unexhausted claims and shall include a description of the newly exhausted claims and the dates and substance of decision at each step of state-court review.

IT IS FURTHER ORDERED that if Petitioner fails to comply with the deadlines imposed in this order, the Court may dismiss the petition.

IT IS FURTHER ORDERED that Petitioner shall advise the Court of any change of address occurring during the pendency of the stay.

IT IS FURTHER ORDERED that this case shall be administratively closed until such time a Petitioner files a motion to amend his petition in accordance with the procedures set forth in this Order.

Dated: February 10, 2010

/s/ Paul L. Maloney
Paul L. Maloney
Chief United States District Judge